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**TO:** State, Tribal and Territorial Agencies Administering or Supervising the Administration of Titles IV-E and IV-B of the Social Security Act, and State and Tribal Court Improvement Programs.

**SUBJECT:** Family Time and visitation for children and youth in out-of-home care.

**LEGAL AND RELATED REFERENCES:** Titles IV-B and IV-E of the Social Security Act.

**PURPOSE:** To provide information on research, best practices, resources and recommendations for providing children and youth in out-of-home care safe, meaningful and high frequency family time that strengthens the family, expedites reunification and improves parent and child well-being outcomes. This information memorandum (IM) emphasizes the importance of family time and visitation in reducing the trauma of removal and placement of children in out-of-home care, maintaining the integrity of the parent-child relationship, healthy sibling relationships and overall child and family well-being.

**BACKGROUND**

Children in out-of-home care often face many unintended and undesirable consequences that adversely affect them in childhood and follow them into adulthood, even when out-of-home care is necessary to protect their safety. Placing a child in out-of-home care can cause irreparable damage to the child and the broader family unit.[1] Removal and subsequent continued separation

[1] See, Church, C., Mitchell, M., and Sankaran, V. (2019). A CURE WORSE THAN THE DISEASE? THE IMPACT OF REMOVAL ON CHILDREN AND THEIR FAMILIES, 102 Marq. L. Rev. 1163. See also Sugrue, E. (2019). *Evidence Base for Avoiding Family Separation in Child Welfare Practice: An Analysis of Current Research*. Commissioned by Alia. https://protect2.fireeye.com/url?k=65d4abfc-3980b280-65d49ac3-0cc47adc5fa2-09cda7b346d2009a&u=https://researchbrief.aliainnovations.org/

makes the sustenance of primary relationships and prospects of reunification more problematic. The loss a child experiences when separated from his or her parent or parents is profound and can last into adulthood.[2] In terms of evolutionary biology, losing a parent or primary protective adult can represent a grave danger to survival for a child. Evidence of this activation and its harmful physiological and psychological consequences is well established.[3] Attachment science shows that the emotional and psychological ramifications of child removal from primary caregivers occur even if the removals are relatively brief. Short-term removals can interfere with a child's sense of safety, and multiple critical capacities, including learning, curiosity, social engagement, and emotional regulation.[4]

Following removal from parents, children and youth are often scared and confused and have incomplete understandings of what is happening to their families, why they are not with their families and what their future will hold. When they lack basic information about the status of their parent or caregiver, they may imagine worst-case scenarios and/or experience feelings of abandonment.[5] This uncertainty has been characterized as ambiguity of loss and provides evidence that ambiguity (not knowing or having the capacity to comprehend why they are not with their parents, where their parents are, or what will happen to him or her) is a tremendous source of stress and trauma.[6] Children and youth are at their most traumatized stage immediately following removal and often do not see their parents for days or weeks, which can exacerbate stress responses and compound trauma.[7]

What the field most often regards as "visitation" and "visitation plans" seldom fulfills the needs that parents and children have for meaningful and nurturing time together. This language often implies standard visitation schedules whereby all parents receive a predetermined amount of supervised time with their child, regardless of the parents' circumstances and protective capacities, and for "visitation" to increase only as parents "earn" the right for longer and unsupervised interactions.

Viewing child and family contacts during foster care less as "visits" and more as "family time" suggests the critical importance of the length and quality of time that children spend with their parents, separated siblings, and other important family members. "Family time" can occur when the parent and/or family participates in normal parenting activities, such as sharing meals,

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[2] Id.
[3] See Complex Trauma, Nat'l Child Traumatic Stress Network, https://www.nctsn.org/what-is-child-trauma/trauma-types/complex-trauma
[4] See Kimberly Howard et al., Early Mother-Child Separation, Parenting, and Child Well-Being in Early Head Start Families, 13 Attachment & Hum. Dev. 5, 21 (2011).
[5] See Monique B. Mitchell, The Neglected Transition: Building a Relational Home for Children Entering Foster Care 6 (2016); see also Pauline Boss, Ambiguous Loss: Learning to Live with Unresolved Grief 5-8 (1999); Lyn R. Greenberg, Barbara J. Fidler, Michael A. Sani, Evidence-Informed Interventions for Court-Involved Families: Promoting Healthy Coping and Development 261 (2019).
[6] Id
[7] Id

medical appointments and school events. It can occur in the homes of resource families or in the family's home. The frequency, duration and intensity of "family time" takes into account the needs of children, depending upon their age and stage of development, and the capacities of parents to share parenting roles with resource families.

This IM is organized as follows:

I. Family Time: Research and Best Practices
II. Inadequate Family Time: Research and Best Practices
III. Resources and Innovation to Support Strong Family Time Practice
IV. Recommendations
V. Conclusion
VI. Resources

## INFORMATION

### I. Family Time: Research and Best Practices

Family time is critical to maintaining the parent-child relationship when a child is in out-of-home care.[8] We can protect and strengthen the parent-child relationship from the time of removal throughout a child's entire time in care by ensuring parents are fully encouraged and supported to participate in all parenting activities and decisions. While some parenting approaches can be improved through increased knowledge of child development, learning appropriate discipline techniques and other capacity building efforts that enhance parental protective factors, the relationship between the parent and child is paramount.

#### *Research*

Frequency and duration of family time: A growing body of research associates regular, meaningful family time for children in out-of-home care with several positive outcomes, including:

- Enhanced parental engagement;
- Greater likelihood of reunification;
- Expedited permanency;
- Increased chances of reunification being sustained;
- More meaningful connections to parents for older youth without reunification as permanency goal; and

[8] Haight, W. L., Mangelsdorf, S., Black, J., Szewczyk, M., Schoppe, S., Giorgio, G., Tata, L. (2005). Enhancing parent-child interaction during foster care visits: Experimental assessment of an intervention. *Child Welfare, 84*, 459–81.

- Improved emotional well-being for parents and children.[9]

Research shows that children participating in more frequent and/or regular time with parents exhibit more of the positive outcomes below when compared to peers who participate in fewer or less regular visits:

- Stronger attachments to their parents;[10]
- Improved child well-being;[11]
- Fewer behavioral problems, including both internalizing and externalizing problems;[12]
- Lower levels of depression;[13] and
- Better adjustment.[14]

Consistent contact with parents is also strongly associated with reunification.[15] Studies examining this association have found that:

- Children aged 12 years and younger who had been in out-of-home care for up to 18 months, those who were visited at the recommended levels in their case plans were more likely to be reunified than those who were not.[16]
- Children age 12 and 13 who had been in out-of-home care for 1 to 8 years, those who were visited more frequently were more likely than other children to return home.[17]
- Children who were visited more frequently by their parents while in out-of-home care spent fewer months in care than those with less frequent visits.[18]

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[9] Partners for Our Children, Family Visitation in Child Welfare: Helping Children Cope with Separation while in Foster Care. April 2011, p.1.

[10] McWey, L. M., & Mullis, A. K. (2004). Improving the lives of children in foster care: The impact of supervised visitation. *Family Relations, 53*, 293–300. doi: 10.1111/j.0022-2445.2004.0005.x

[11] Id

[12] McWey, L. M., Acock, A., & Porter, B. E. (2010). The impact of continued contact with biological parents upon mental health of children in foster care. *Children and Youth Services Review, 32*, 1338–1345. doi: 10.1016/j.childyouth.2010.05.003; McWey, L. M., & Cui, M. (2017). Parent–child contact for youth in foster care: Research to inform practice. *Family Relations. 66*, 684–695. doi: 10.1111/fare.12276

[13] Id

[14] Supra at note 8.

[15] D'Andrade, A. C., & Valdez, M. (2012). Reunifying from behind bars: A quantitative study of the relationship between parental incarceration, service use, and foster care reunification. *Social Work in Public Health, 27*, 616–636. doi: 10.1080/19371918.2012.713294; López, M., del Valle, J. F., Montserrat, C., & Bravo, A. (2013). Factors associated with family reunification for children in foster care. *Child & Family Social Work, 18*, 226–236. doi: 10.1111/j.1365-2206.2012.00847.x; Leathers, S. J., Falconnier, L., & Spielfogel, J. E. (2010). Predicting family reunification, adoption, and subsidized guardianship among adolescents in foster care. *American Journal of Orthopsychiatry, 80*, 422–431. doi: 10.1111/j.1939-0025.2010.01045.x

[16] Davis, I. P., Landsverk, J., Newton, R., & Ganger, W. (1996). Parental visiting and foster care reunification. *Children and Youth Services Review, 18*, 363–382. doi: 10.1016/0190-7409(96)00010-2

[17] Leathers, S. J., Falconnier, L., & Spielfogel, J. E. (2010). Predicting family reunification, adoption, and subsidized guardianship among adolescents in foster care. *American Journal of Orthopsychiatry, 80*, 422–431. doi: 10.1111/j.1939-0025.2010.01045.x

[18] Mech, E. V. (1985). Parental visiting and foster placement. *Child Welfare, 64*, 67–72.

- Among children discharged from out-of-home care, those who visited more frequently with their parents were in care for shorter periods.[19]
- Among children under age 10 who had been reunified, more frequent visits were associated with shorter placements in out-of-home care.[20]
- In a longitudinal study of all children placed in foster care for at least 90 days in New York City, the occurrence of visits made it more likely for children to reunify with their parents, with reunification being more likely with a higher frequency of visits than a lower frequency or no visits.[21]
- A study of children in out-of-home care who had an incarcerated parent found that difficulties accessing services and with visitation present barriers to reunification.[22]

Immediacy of family time: Research suggests meaningful family time close in time to removal may help reduce stress and anxiety for children in out-of-home care.

Providing quality family time: The quality of time a parent spends with his or her child is critical for the strength of relationships of all families, especially a family involved with the child welfare system. Likewise, many factors may affect the quality of time a parent and child spend together. This includes: who is present, where the time together is spent, how the time together is spent, whether attention is focused or divided, the ability of parent or child to be emotionally present, the physical health and social, emotional and psychological health of a parent or child and numerous other stressors or stimuli.

Parents with lived experience in child welfare commonly report that the presence of a government employee or private social worker with decision-making authority over the future of their families can affect the quality of the time a parent spends with his or her child. In this situation, a parent may feel uncomfortable and have difficulty engaging with his or her child. Research shows that supervised family time can and often does affect the comfort levels of parents and children and can inhibit the ability of a parent or child to interact freely. A child welfare agency should not assume that a child in an out-of-home care automatically means visitation must be supervised. Out-of-home care may be necessary for a variety of reasons; however, that does not mean it is unsafe for parents and children to spend time together without supervision. This is particularly true for families with older children, and those cases involving neglect.

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[19] Milner, J. L. (1987). An ecological perspective on duration of foster care. *Child Welfare, 66*, 113–123.

[20] White, M., Albers, E., & Bitonti, C. (1996). Factors in length of foster care: Worker activities and parent-child visitation. *Journal of Sociology & Social Welfare, 23*, 75–84.

[21] Fanshel, D., & Shinn, E. B. (1978). *Children in foster care: A longitudinal investigation*. New York: Columbia University Press.

[22] Supra at note 13, D'Andrade & Valdez, 2012; López, del Valle, Montserrat, & Bravo, 2013.

Data show that the majority of older youth in the child welfare system have contact with their parents in varying degrees, but often those relationships are unacknowledged, unsupported or discouraged. Failing to recognize and promote such relationships may leave youth on their own to manage complicated relationships and feelings.[23] Research shows that supporting and strengthening parent and older youth relationships can result in permanency through reunification, and can be crucial to achieving permanency with other individuals. Family time with older youth is important because even where a parent may not be an option as a caregiver, they can be a valued member of the youth's network of support; even in instances of termination of parental rights.

***Best Practices***

Liberal, creative, and robust family time strengthens parent child relationships, promotes child and family well-being, and expedites reunification. Many states, national professional membership organizations and advocacy groups identify best practices for family time:

- Georgia statute specifies that "there shall be a presumption that visitation shall be unsupervised unless the court finds that unsupervised visitation is not in a child's best interests."[24] The Georgia Court Improvement Program (CIP) has issued a comprehensive guide for judges to ensure strong judicial decision-making on family time.[25] The guide provides an overview of research, case law, and best practices for judges to utilize in assessing and ordering family time plans. It also provides judges with the information necessary to make well-informed orders that will promote the well-being of the child.

- The Wisconsin Department of Children and Families Ongoing Services Standards identifies family interaction while a child is in out-of-home care as critical for "minimizing placement-induced trauma caused by separation" and recognize that such contact is critical to enhancing attachment.[26] The Standards also recommend that the agency think broadly about the individuals that may be important in the child's life with whom continued contact would be helpful, including: friends, neighbors, and extended family as defined by culture and spiritual communities.[27] Family interaction includes parent attendance in regular parenting activities, such as medical appointments and school events, and time specifically for visits. The standards recommend that visits occur in the least restrictive setting, account for the child's developmental needs, highlight a

[23] See Courtney, M., Dworsky, A.,Brown, A., Cary, C., Love, K., & Vorhies, V. (2011). *Midwest evaluation of the adult functioning of former foster youth: Outcomes at age 26.* Chicago, IL: Chapin Hall at the University of Chicago.
[24] O.C.G.A. § 15-11-112(b) (2013)
[25] See http://www.gacip.org/family-time-practice-guide/
[26] https://dcf.wisconsin.gov/files/cwportal/policy/pdf/ongoing-services-standards.pdf
[27] Id.

preference for family-like visit settings, and speak to the importance of decreasing levels of supervision during visits where reunification is the permanency goal.[28]

- Illinois statute places visitation in the context of reasonable efforts and permanency planning articulating that, "the frequency, duration, and locations of visitation shall be measured by the needs of the child and family and not by the convenience of the department."[29] The Illinois Department of Children and Family Services family visitation rules recognize "a strong correlation" between the frequency parental visits and parent child contacts more generally. Where reunification is the permanency goal, the rules call for visits to occur in the family home and an increase in the length of time to aid with the transition of the child to his or her family home, absent a threat to safety.

- Illinois policy provides additional support for family time by clarifying that agencies can reimburse caregivers who provide the location, supervision, mentoring, or transportation for "family-setting activities" that include "parenting activities such as help with homework, hobbies, meal preparation, chores, getting ready for nap or bedtime" that is also available for parents who are incarcerated or hospitalized. [30]

- Michigan law requires the child welfare agency to monitor "in-home visitation between the child and his or her parents. To ensure the occurrence of in-home visits required under this subsection, the supervising agency shall institute a flexible schedule to provide a number of hours outside of the traditional workday to accommodate the schedules of the individuals involved." [31]

- Numerous leading national professional membership organizations and advocacy groups provide best practices for family time. The National Council of Juvenile and Family Court Judges (NCJFCJ) highlights the importance of family time in the Enhanced Resource Guidelines, a resource developed to support judges in child welfare practice. The guidelines include a principle statement that, "consistent with child safety, relationships between and among children, parents, and siblings are vital to child well-being. Judges must ensure that quality family time is an integral part of every case plan. Visitation should be liberal and presumed unsupervised unless there is a demonstrated, safety risk to the child. Sibling time apart from parental family time is also important. Family time should not be used as a case compliance reward or consequence."[32]

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[28] Id at 166 (PDF 176); 167 (PDF 177).
[29] See https://dcf.wisconsin.gov/files/cwportal/policy/pdf/ongoing-services-standards.pdf
[30] Illinois Family Reunification support Special Service Fee—Policy Guide https://www2.illinois.gov/dcfs/aboutus/notices/Documents/policy_guide_2007.06.pdf
[31] MCL 722.954b
[32] NCJFCJ Enhance Resource Guidelines Principle---Ensuring Family Time)

- A joint publication of the American Bar Association Center on Children and the Law and NCJFCJ identifies visitation as a key factor for judges to consider in making reasonable efforts determinations pursuant to the Adoption Assistance and Safe Families Act (ASFA). The publication states that, "quality visitation plans between young children, their parents, siblings and extended family members directly relate to ASFA mandates for timely permanency and reasonable efforts."[33]

- The American Humane Association, Center for the Study of Social Policy, Child Welfare League of America, Children's Defense Fund, and Zero-To-Three issued a call to action on the need for children to have strong and healthy relationships; stating that, "children develop within the context of their relationship with their primary caretaker or parent. Secure and stable attachments with a primary caregiver form the basis for a child's future social, emotional and cognitive development. Maintaining or healing attachments with parents is critical, since relationships are the conduit for change in young children and families."[34]

- The American Bar Association and Zero-To-Three co-authored a publication to build legal and judicial knowledge on the developmental needs of children. The authors highlight the effects of parent-child separation on very young children, emphasizing that "the younger the child and the longer the period of uncertainty and separation from the primary caregiver, the greater the risk of emotional and developmental harm to the child." [35]

## II. Inadequate Family Time: Research and Best Practices

Inadequate family time can impede parental engagement, inhibit healthy parent child bonding, disrupt and damage relationships, delay permanency, and perpetuate trauma for both children and parents.[36]

***Research***

[33] American Bar Association, National Council of Family and Juvenile Court Judges, Healthy Beginnings, Healthy Futures: A Judge's Guide, 2009, p. 105.
[34] American Humane Association, Center for the Study of Social Policy, Child Welfare League of America, Children's Defense Fund, and Zero to Three. A Call to Action on Behalf of Maltreated Infants and Toddlers. 2011, p. 5)
[35] American Bar Association and Zero to Three, Visitation with Infants and Toddlers in Foster Care: What Judges and Attorneys Need to Know, July 2007.
[36] Kendra L. Nixon et al., "Every Day It Takes a Piece of You Away": Experiences of Grief and Loss Among Abused Mothers Involved with Child Protective Services, 7 J. Pub. Child Welfare 172, 182-83 (2013); E. Wall-Wieler et al., Maternal Health and Social Outcomes After Having a Child Taken into Care: Population-based Longitudinal Cohort Study Using Linkable Administrative Data, 71 J. Epid. Comm. Health 1145 (2017).

Research shows ending or reducing family time due to a parent's non-compliance with a case plan is problematic and can negatively impact parental engagement and well-being.[37] Parents with lived-experience report time with their children to be motivating and help them stay focused on successfully completing treatment or more generally meeting the conditions of case plans. Conversely, parents report feelings of frustration, loneliness and despair in situations where meaningful contact with their children is limited, reduced or canceled. Parents also report that despite strong desires to spend time with their children, it is sometimes difficult to meet family time schedules due to a variety of every day challenges that may exist in the life of parents involved with the child welfare system.

A number of social and economic factors may limit a parent's ability to comply with a case plan. The challenges of poverty, such as limited access to transportation, inflexible employment schedules and lack of financial resources, can all combine to make case plan compliance and honoring family time schedules difficult. It is important for agencies and judges to be mindful that ending or reducing family time as a form of punishment for noncompliance may have deleterious effects on parental progress and cause additional challenges or setbacks in treatment and recovery.[38] Family time plans should consider the parent's circumstances, including the resources to which they might have access. When a parent cannot attend a visit, it is important not to assume a lack of interest.

Research suggests that ending or reducing family time due to perceived or observed negative emotional responses of the child in anticipation of seeing his or her parents or following time spent together is also problematic.[39] Such responses in children are complex, and often an expected result of a child dealing with the trauma or emotions related to separations, including the separation that occurs at the end of visits.[40] Separation can be confusing for children as they lack the ability to understand why he or she cannot be with his or her parents. Depending on the age and developmental stage of the child, it may not be possible for the child to comprehend anything other than the fact that his or her parent is not there, and the upheaval and uncertainty that accompany removal can bring a range of emotions including anger, sadness, and

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[37] Id. See also the 2019 Family Treatment Court Best Practice Standards Provision D: High Quality Parenting Time (Visitation): https://www.cffutures.org/files/OJJDP/FDCTTA/FTC_Standards.pdf#page=136

[38] SAMHSA's Children Affected by Methamphetamine (CAM) program focused family treatment courts on evidence based parenting and children's services including a strategy of promoting parenting right away; participating sites shifted from "requiring" a length of time of sobriety or in the Family Treatment Court prior to beginning family time/visitation to supporting parenting time from the start of program participation. Sites found that actively engaging parents in decision making and parenting led to increased attendance for sessions when they were presented as an opportunity to focus on the needs of their children. A summary of that final report is here https://ncsacw.samhsa.gov/files/CAM_Brief_2014-Final.pdf. Additional resources on lessons learned can be found at https://www.cffutures.org/report/prevention-and-family-recovery-brief/ and http://www.cffutures.org/files/PFR_Tompkins_Standard_Final2.pdf

[39] See Rich, C. (2010). *The effect of parental visitation on the emotional and behavioral stability of foster children*. Fresno: Alliant International University.

[40] Id.

depression.[41] It is important for social workers and legal professionals to be mindful of the complex emotional responses that children may experience and the different ways those emotions may be displayed. Reducing or restricting visitation based on negative child responses, rather than working with parents and youth to understand those reactions and ease anxiety, may further traumatize children in out-of-home care. Such reductions may also add trauma to parents and can be a disincentive for parental compliance with case plans.

***Best Practices***

Child welfare agencies, attorneys for parents, children, youth and child welfare agencies, judges, and CIPs can work together to ensure that family time is not unnecessarily supervised, ended or reduced contrary to research supporting positive outcomes for youth. Examples of such best practices include:

- Where children exhibit concerning behavior, child welfare professionals should seek out mental health professionals to help interpret the emotions and reactions children may exhibit before deciding to reduce family time.[42]
- Where there are threats of danger ensure, that they are specific, observable, immediate, carry severe consequences, and cannot be controlled.[43]
- Where there is a safety risk, agencies and courts should consider the protective capacities of caregivers in the home and the child or children to determine whether those protective factors will mitigate the identified risk before reducing or ending family time.[44]
- Agencies and courts should also consider additional protective factors that can be provided to help ensure safety before reducing or ending family time.[45]

## III. Resources and Innovation to Support Strong Family Time Practice

State and county child welfare agencies report that meaningful and frequent family time can be time and resource intensive for child welfare agencies and staff. The expense associated with providing supervision can be challenging. However, federal financial participation (FFP) is

[41] See generally, Dozier, M., Stovall, K.C., Albus, K. & Bates, B. (2001). Attachment for infants in foster care: The role of caregiver state of mind. Child Development, 72, 1467-1477; Haight, W., Black, J., Mangelsdorf, S., Giorgio, G., Tata, L., Schoppe, S., & Szewczyk, M. (2002). Making visits better: The perspectives of parents, foster parents, and child welfare workers. Child Welfare, LXXXI, 173-202.; Haight, W., Black, J., Workman, C. & Tata, L. (2001). Parent-child interaction during foster care visits: Implications for practice. Social Work, 46, 325-338; Stovall, K.C., & Dozier, M. (2000). The development of attachment in new relationships: Single subject analyses for 10 foster infants. Development and Psychopathology, 12, 133-156; Cantos, A.L. & Gries, L.T., (1997). Behavioral Correlates of Parental Visiting During Family Foster Care. Child Welfare, 76 (2) 309-330.

[42] See supra note 5, responses could be the result of ambiguity of loss, feelings of abandonment or other emotional responses depending on the developmental stage or trauma history of the child.

[43] See Therese Roe Lund & Jennifer Renne, *Child Safety: A Guide for Judges and Attorneys* 33-34 (2009) for a detailed analysis on how to balance safety threats and protective capacities and how judges can utilize information gained through application of a safety decision-making framework to craft thoughtful and effective visitation/family time plans.

[44] Id.

[45] Id.

available for certain costs associated with facilitating family time. There are also innovative approaches to facilitating family time that show promising results for families and require less agency staff time and resources.

***Federal Funding***

Funding may be available under titles IV-B and IV-E for certain activities that support family time. This IM provides only a basic overview of potentially available funding, and agencies should contact their regional office with questions about whether specific costs for activities that support family visits are allowable.

A title IV-B agency may utilize title IV-B, subpart 2 funds to pay for services and activities designed to facilitate access to and visitation of children with parents and siblings. Statute and regulation are broad regarding parenting time and visitation to allow jurisdictions flexibility in designing practices and providing support for family time practices that meet the unique needs of their communities.

A title IV-E agency may claim FFP for costs related to a child's travel to and from family visits as a foster care maintenance expense. Title IV-E agencies may claim FFP for allowable title IV-E foster care administrative costs, including activities closely related to case management and supervision (45 CFR 1356.60(c)(2)(vi)). Any such costs must be allocated through an approved cost allocation plan and the claims must be on behalf of a title IV-E eligible child or candidate for title IV-E foster care. States may not claim the transportation costs of a parent for visitation as a foster care maintenance payment nor an allowable administrative cost. See Child Welfare Policy Manual section 8.3B.1 for additional information on allowable costs.

***Innovative Approaches***

A number of jurisdictions are increasing access to family time, improving the experiences of parents and children during family time and reducing the costs associated with facilitation (both transportation and staff time) by working with community-based organizations. Community-based organizations offer a variety of programs and services, such as support staff, peer mentors, family time or visit hosts, visit coaching, and/or convenient, nonthreatening space for families to spend time together. Where provided, jurisdictions report improved parental attendance, increased parental engagement, improved compliance with case plans, and reduced burden on the child welfare agency. Examples of innovate approaches include:

- New York City's Administration for Children's Services (ACS) worked with community partners and providers to maintain and strengthen the relationships that parents have with their children when placement in out-of-home care is necessary. One such effort supported by the Center for Family Life (CFL), an ACS contracted service provider, redefines the concept of visitation entirely. CFL is a community-based provider in Brooklyn, NY. CFL operates a foster care program for ACS that focuses on building

positive relationships between parents with children in foster care and foster parents. CFL has set the expectation that parents with children in foster care will remain involved with the daily routines of their children's lives. Children are placed nearby where the parent lives, and the foster parent works directly with the parent to set daily schedules whereby the parent will regularly be in the foster home helping their children prepare for school, do homework, prepare and eat meals, play, and attend appointments or school events. The goal is meaningful and ongoing contact and involvement, seamlessly blending foster care and family time. CFL also provides additional support to parents and families to help build protective capacities, connections to community resources, and programs to promote economic mobility, which help increase the likelihood of sustained family reunification.

- The Center for Family Representation, a parental defender organization in NYC, has advocated for and helped support a "Visit Host" approach that promotes family-centered, community-based visitation practice. ACS and its community partners worked together to establish protocols and guidance for the agency and families to work together to identify non-agency staff that can supervise visits where supervision is necessary. A visit host is someone that the parent or family knows and trusts, that can assure the safety of the child, is invested in the well-being of the child and family, and is supportive of the parent and the family's attempts to reunify or maintain strong relationships. A host can bring participants together more frequently and for longer visits and has the flexibility to be creative in supporting families to spend time together in natural settings. CFR, one of many partners across the city that helps facilitate the approach, reports that visit hosts are used in approximately twenty percent of their cases where supervision has been deemed necessary, a significant reduction of burden on the child welfare agency.

- Hancock County, Mississippi has converted a former children's shelter into a family time meeting place. The building is set up to feel like a home and includes living room spaces, play space for children inside and outside, a reading room/library, and a functioning kitchen and dining area to allow families to spend time together in natural ways. Families are encouraged to bring food so they may prepare and share meals. The county provides groceries in the kitchen for families that may not be able to afford to bring food on their own so that they do not miss the opportunity for family dinners. Most notably, parents of infants may visit as often as they can attend for as long as they can be present to promote healthy parent child bonding and attachment.

- San Diego County implemented an approach to ensure family time helps enhance parenting skills and promotes relationships between parents and foster families. Working in partnership with Casey Family Services, the county has implemented a coaching

program for parents known as Visit Coaching.[46] Under the model, coaches train to help parents enhance or develop specific parenting skills and protective factors that allow them to parent more effectively. Visit coaches are not employees of the child welfare agency and therefore viewed as independent supports to the family. Coaches are also from the same community and/or cultural background of the families, which can help parents feel more comfortable. Visit coaches may supervise visits ordered to be monitored, but are also used where supervision is not mandated as a parental support and resource.

## IV. Recommendations

CIPs, administrative offices of the courts, state and county judges, child welfare administrators, child welfare agency case workers, and attorneys for parents, children, youth and the child welfare agency all play essential roles and share common interests in protecting and strengthening the integrity of the parent-child relationship. The parent-child relationship is critical to the well-being of children and parents, except in the most egregious of situations where it would be harmful to the child. Ensuring that meaningful family time is a central component of every case plan for children in out-of-home care is a critical strategy for strengthening the parent-child relationship and promoting family well-being.

Studies indicate that the above parties should work collectively and in their individual capacities to implement these key principals associated with more meaningful and effective family time practices:

- Recognize family time as critical reasonable or active effort and centerpiece of case plans.
- Engage parents in family time discussions as early as possible, even before physical removal where possible, to seek their ideas and opinions on where, when, and how family time can occur.
- Create policy and promote practice that presumes family time should be unsupervised absent an identified present danger of harm.
- Work to identify and partner with community organizations that can supervise visits where supervision is necessary.
- Utilize non-threatening, natural, family-like settings for visits to occur.

*Recommendations for CIPs*

- Enhance or create training curriculum and educational opportunities to ensure judges are aware of the trauma caused by parent-child separation and the long-term impact removal can have, even as the result of short-term separation.

[46] http://martybeyer.com/content/visit-coaching

- Enhance or create in-depth training on the importance of family time to child and parent well-being.
- Work with the Administrative Office of the Courts to create or update family time specific court rules that reflect current knowledge about the importance of family time in mitigating child trauma and expediting reunification.
- Create training opportunities for judges to lead detailed discussion of family time at every hearing and review, including making specific inquires to attorneys for parents, children and youth and the child welfare agency on case specific family time needs.
- Create training opportunities for judges and attorneys that identify family time as a critical reasonable effort to finalize permanency goals of reunification and to normalize the foster care experience for children in out-of-home care.
- Include qualitative measures that look at the substance of family time discussions and decisions in court observation and other instruments utilized as part of mandatory CIP hearing quality projects. Utilize data to continuously improve legal and judicial aspects of family time planning and decision-making.

*Recommendations for Judges*

- Become familiar with trauma research and the impact that parent-child separation has on children.
- Consider family time a critical reasonable or active effort that the agency must make to finalize permanency goals of reunification.
- Routinely ask parent attorneys and attorneys for children and youth about the adequacy of and satisfaction with the family time plan.
- Routinely ask the agency attorney for detailed accountings of the agency's efforts to ensure family time is occurring in accordance with the case plan.
- Make findings of no reasonable efforts to finalize a permanency goal of reunification where the agency has not provided adequate evidence that it has provided meaningful family time.
- Set clear expectations that agencies individually tailor family time plans to meet the specific needs and circumstances of each individual child and family.
- Order unsupervised family time unless specifically contraindicated by safety threats to the child or based on the specific needs/circumstances of the child.
- Require detailed family time plans and proactively monitor family time by requiring detailed updates on the progress with family time at every hearing and review.

*Recommendations for Attorneys of Parents, Children, Youth, and the Child Welfare Agency*

- Remain cognizant that parent-child separation, even when necessary or for short time periods, causes trauma to children and parents.

- Help locate and involve relatives or kin supportive of parent child contact when removal is necessary.
- Advocate for parent-child contact as soon as possible after removal to help mitigate child trauma and ambiguity of loss.
- Be creative in recommendations of where, when, and how initial contact and ongoing family time occur.
- Ensure substantive discussion of family time occurs in every hearing or review where a child is in out-of-home care.
- Advocate for sibling time where siblings are in separate placements.
- Know the factors that can make family time logistically and emotionally challenging for parents and children, anticipate needs, and identify resources to mitigate those challenges.
- Contest unnecessary supervision of family time.

*Recommendations for Child Welfare Agency Leadership* (*including directors, managers and supervisors)*

- Be mindful that removal, even when necessary or for a short period of time, is traumatic to both children and their parents.
- Recognize family time as central to fulfilling the agency's mission and responsibilities under the law and that agency leadership should:
    - create a clear vision for what family time should look like in the state, counties, and communities;
    - identify what the agency will do to operationalize that vision; and
    - craft agency policy and procedures to support the vision, and provide training, supervision and coaching to ensure fidelity to the vision.
- Involve all levels of staff, the legal and judicial community, parents and youth with lived child welfare experience, community members, and private, public, and faith-based partners in crafting the vision.
- Identify public, private and faith-based partners to help implement and support the vision.
- Craft and implement policy and support case work practice that is rooted in an understanding that the quality of family time is affected deeply by where and how it occurs and that natural environments and unsupervised family time should be arranged absent identified, immediate danger of harm to the child.
- Create and maintain a culture that promotes the vision for family time within the agency and incentivizes or rewards caseworker efforts in promoting meaningful family time.
- Provide supervision and coaching to support caseworker efforts in ensuring meaningful family time.
- Facilitate and support ways for caseworkers to share routinely what they are doing to ensure family time with their peers and learn from one another.

- Work with community partners, including private and faith-based organizations to identify more home-like settings that may be appropriate for supervised visitation.
- Access title IV-E reimbursement to promote high quality legal representation for parents that will help ensure higher levels of parental engagement, identify family strengths and resources, all of which can support strong and effective family time practice.

*Recommendations for Caseworkers*

- Be mindful that removal, even when necessary and for short time periods, is traumatic to both children and their parents.
- Take all steps necessary to assure the parent that family time will be a top priority before removal.
- Arrange family time as soon as possible after removal, arranging contact within 24 hours or less of the initial removal, unless there is a clear and present safety threat to the child.
- Speak with the parents as early as possible to identify family members, friends, or other trusted adults the parents may know that can help where supervised visitation may be necessary.
- Ensure that family time is a central part of every case plan.
- Remain aware that frequent family time can help reduce trauma to both parents and children and can help the family move toward permanency sooner.
- Understand that where and how visits occur affect the quality of family time, and that agencies should arrange for visits to occur in natural and unsupervised environments, absent identified immediate danger of harm to the child.
- Reinforce the importance of all families, families of origin, and resource families, calling the child by the same name, following the same care practices (like eating and toilet learning), and speaking without judgment or criticism about each other during family time and throughout the child's time in care.
- Provide continuity in transportation for visits with the parents, i.e., transportation should be done by the same staff in the same vehicle as much as possible, as routine helps to reduce stress.
- Think of family time broadly as involving the parent as much as possible in day-to-day child rearing activities that allow for parental participation in normal daily experiences of their children's lives, e.g., school activities, doctor appointments, recreational activities, assistance with school work in the resource home.

## V. Conclusion

Research is clear that frequent quality family time is a vital component of expedited reunification and positive well-being outcomes for children and families. We strongly encourage child welfare agencies, CIPs, judges, attorneys and other stakeholders to review the research, best

practices, funding sources, and recommendations related to providing family time, and work together to ensure that frequent quality family time is provided to all parents, children, and youth consistent with child safety. We further urge all jurisdictions never to use family time as reward or punishment as such practices are inconsistent with federal law and harmful to the well-being of children and parents.

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/s/

Elizabeth Darling
Commissioner,
Administration on Children, Youth and Families

**Disclaimer: IMs provide information or recommendations to States, Tribes, grantees, and others on a variety of child welfare issues. IMs do not establish requirements or supersede existing laws or official guidance.**

## VI. Resources

Applying the Science of Child Development in Child Welfare Systems
https://developingchild.harvard.edu/resources/child-welfare-systems/

Child and Family Visitation: A Practice Guide to Support Lasting Reunification and Preserving Family Connections for Children in Foster Care (Minnesota)(placement, visitation)
https://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-5552-ENG

Child Safety: A Guide for Judges and Attorneys by the American Bar Association

Developmental Issues for Young Children in Foster Care by the American Academy of Pediatrics Committee on Early Childhood, Adoption and Dependent Care (2000)

Enhanced Resource Guidelines: National Council of Juvenile and Family Court Judges

http://www.ncjfcj.org/ncjfcj-releases-enhanced-resource-guidelines

Evidence Base for Avoiding Family Separation in Child Welfare Practice: An Analysis of Current Research. (2019). Commissioned by Alia. https://researchbrief.aliainnovations.org/

Family Services or Family Preservation plan: dated January 2016 Policy 1.6 (Wyoming) https://drive.google.com/file/d/0B6DSpyyE-UEST2ZrNGdLV2RWY2M/view?pref=2&pli=1

Georgia Family Time Practice Guide: A Guide to Providing Appropriate Family Time for Children in Foster Care.
http://www.gacip.org/family-time-practice-guide/

Mental Health Assessments for Infants and Toddlers by the American Bar Association in Child Law Practice (Vol. 24 No.9) 129-139 (2005)

Parenting Matters: Supporting Parents of Children Ages 0-8 (2016) by The National Academies: Sciences, Engineering, & Medicines

Preventing Mental, Emotional, and Behavioral Disorders Among Young People: Progress and Possibilities (2009) by The National Academies: Sciences, Engineering, & Medicine

Reasonable Efforts: A Judicial Perspective, National Council of Juvenile and Family Court Judges –Handbook on Reasonable Efforts by Len Edwards
http://www.ncjfcj.org/resource-library/publications/reasonable-efforts-judicial-perspective

RISE Magazine www.risemagazine.org Video and Parenting Tips

Visitation with Infants and Toddlers in Foster Care: What Judges and Attorneys Need to Know by the American Bar Association (2007)